S.B.Criminal Revision Petition No.1146/2006

Babulal Samria & Ors.
v.
State of Rajasthan

Date of Order :: 5th December, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Dr. Sachin Acharya, for the petitioners.
Mr. V.R.Mehta, Public Prosecutor.

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By this petition under Section 397 read with 401 Cr.P.C. a challenge is given to the order dated 16.10.2006 passed by learned Judicial Magistrate, Ist Class No.1, North, Udaipur, framing charges against the petitioners for the offences under Sections 392, 384, 506 and 120-B IPC.

The contention of counsel for the petitioners is that the petitioners are Director and Officers of VTC Leasing and Finance Ltd. and Milan Finance. Whatever action taken by them to seize the vehicle was as per law due to non-satisfaction of the loan advanced to Vinod Chand Bhatt who subsequently sold the vehicle to Niranjan Meharania. It is asserted that the Magistrate erred while framing the charges as there was no material to presume commission of offence by the petitioners.

I do not find any substance in the contention advanced. Learned Magistrate framed charges

against the petitioners after hearing the parties and on being prima facie satisfied about commission of the offence, thus, no error is committed by the Magistrate that may warrant interference of this Court in revisional jurisdiction.

The revision petition is accordingly dismissed.

(GOVIND MATHUR),J.

Kkm/ps.